

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**SHARON MOATS,**

Plaintiff,

v.

**Civil Action No. 3:06CV120  
3:07CV22**

**(BAILEY)**

**UNITED STATES OF AMERICA,**

Defendant.

**ORDER OF PRETRIAL CONFERENCE**

On March 3, 2008, the parties in the above-styled civil action appeared before the Court for a pretrial conference. The plaintiff was present by counsel Jonathan Nace and Barry Nace. The defendant was present by counsel, Assistant United States Attorney Helen Campbell Altmeyer. The parties clarified that the only two remaining parties to this action are Sharon Moats and the United States of America.

As an initial matter, the Court addressed the parties witness lists, to which neither party stated objection. Next, the Court addressed exhibit lists and corresponding objections. In doing so, the parties addressed the Court, and the defendant provided the plaintiff with copies of the medical records. As to any depositions that the parties wish to read into evidence, the Court informed the parties that it would read those prior to trial. The Court further inquired as to motions in limine, and the parties indicated that there were none. Finally, the parties indicated that discovery was complete and the case was proceeding to trial as scheduled.

Next, the Court addressed the Plaintiff's Motion for Leave to File Motion for Summary Judgment on the Issue of Causation. The Court noted that due to its late filing, it could not review the motion for summary judgment. Therefore, the Court **DENIED** these motions [**Docs. 102 & 103 (3:06-CV-120) and Docs. 34 & 35 (3:07-CV-22)**].

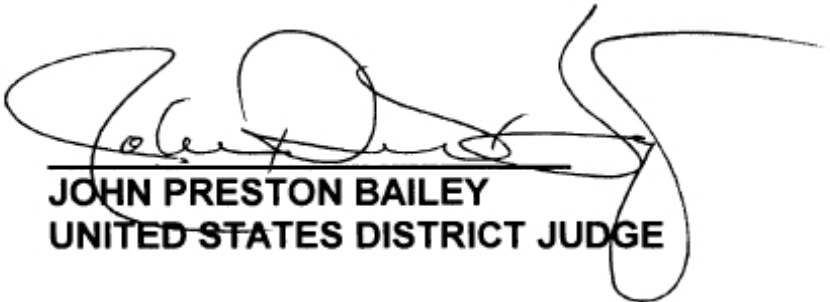
Next, the Court rescheduled the trial so that it will now begin on Monday, March 10, 2008, at 1:00 p.m. The parties expect to rest their cases by the evening of March 11.

As a final matter, because this trial will be presented solely to the Court, the parties were directed to file - prior to trial - proposed findings of fact and conclusions of law.

There being no further business, the Court adjourned the matter.

The Clerk is directed to transmit copies of this Order to all counsel of record herein.

**DATED:** March 6, 2008.



**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**